

REMARKS

Claims 1-23 are currently pending. Claims 1-23 have been amended for clarification. The amendment of claims 1-23 is self-supporting and/or supported by Figure 1 and page 9, lines 34-35, page 11, lines 16-34, and page 13, lines 2-9, of the specification as filed. It is respectfully submitted that no new matter has been added.

The Patent Office rejected claims 1-10, 12-16, and 18-23 under 35 U.S.C. 102(e) as being anticipated by Barnes, U.S. Published Patent Application No. 2003/0212762.

There are five independent claims currently pending: 1, 15, 20, 22, and 23. The Patent Office has rejected claim 1 through paragraphs 0018, 0033, 0041, and 0043; claim 15 through paragraphs 0018, 0041, and 0043; claim 20 through paragraphs 0018, 0040, 0041, 0043, 0053, and 0071; claim 22 through paragraphs 0018, 0040, 0041, 0043, 0053, and 0071; and claim 23 through paragraphs 0018, 0040, 0041, 0043, 0053, and 0071 of Barnes.

Barnes relates to a system that allows the end user to view, on demand, supplemental content for one or more displayed digital content substrates without having to exit the current display. In a Web embodiment, this means that an end user can display supplemental content without having to click-through or navigate to a new Web site (paragraph 0018).

More particularly, Barnes provides the system which receives and stores supplemental content to be displayed to an end user upon request. Supplemental content corresponds to a known digital content substrate. A unique identifier, such as a graphical display element's digital fingerprint, is then determined via a checksum procedure for the digital content substrate. The unique identifier is used to identify the digital content substrate upon presentation to the end user of the display. (paragraph 0019)

Barnes discloses his invention encompasses systems and method for on-demand display of supplemental content on a data communications network (paragraph 0033) that may be implemented on the web. Barnes, in Figure 3 (paragraph 0040), shows an embodiment of a distribution system of supplemental content. A communication flow path involves the browser requesting a web page from a web site, the return of an HTML file, a request for individual components of the web page, a return of the components, and an analysis of the components of the web page and generation of a list of potentially identifiable digital fingerprints serving as unique identifiers for the components of the page (paragraph 0041). The supplemental content

display software routine 302, after validation of fingerprints of a fingerprint list, makes a panel request resulting in the supplemental content display software routine 302 loading a supplemental content display panel template in the background of the browser's communication session 336 (paragraph 0043). Barnes discloses "maintaining updating of the cache content" when "the supplemental content server 418 returns confirmation 444 for the fingerprints 438 (paragraph 0053). Barnes in paragraph 0053 further recites as follows:

In addition to determining if each fingerprint is recognized, the most recent version or validity date of the supplemental content can also be provided to the plug-in. If the proper version of the supplemental content is already in cache, no further download of supplemental content is necessary. If the version is outdated or stale, or if there is no version of the supplemental content in cache, the new supplemental content will be requested from the supplemental content server 418.

Barnes (paragraph 0071) discloses "the supplemental content can be easily updated, and the new version of the supplemental content display panel can be made immediately available through the network for all instances of the panel in a substantially instantaneous manner."

The claimed invention recites that it is a special identifier is provided along with corresponding content to a terminal equipment from a server. Barnes does not teach this. In Barnes, as noted by the Patent Office, the fingerprints are sent to the distribution server from the electronic device 400. A yes/no list validating fingerprints 332 is sent from the distribution server to the electronic device 400. Then, the electronic device 400 may make a panel request resulting in the distribution server providing content. That is, in the claimed invention the server sources the special identifier and associated content together, whereas in Barnes the terminal equipment sources the fingerprint and the distribution server sources the content.

Thus, claims 1-23 are allowable over Barnes.

The Patent Office rejected claims 11 and 17 under 35 U.S.C. 103(a) as being unpatentable over Barnes in view of Sasaki, U.S. Published Patent Application No. 2002/0077988.

The Patent Office asserted on page 9, lines 1-4, of the Office Action dated September 26 2007 as follows: "Barnes fails to disclose at least a port of the content provided with the said identifier is transferred encrypted. Sasaki discloses at least a part of the content provided with the said identifier is transferred encrypted (e.g. page 5 paragraph 0045)."

Serial No.: 10/606,174
Art Unit: 2143

Sasaki discloses a licensed digital content distributor that is configured to transmit meta-data associated with a broadcasted digital content and containing an embedded distributor identifier (paragraph 0016). Sasaki also discloses a user identifier, a broadcaster identifier and a content identifier. The use of identifiers in Sasaki appears to be limited to determining if an intended recipient is to have a licensed copy of a digital work.

Sasaki does not remedy the deficiency of Barnes.

Thus, claims 11 and 17 are allowable over Barnes in view of Sasaki.

The Patent Office is respectfully requested to reconsider and remove the rejections of the claims 1-10, 12-16, and 18-23 under 35 U.S.C. 102(e) based on Barnes and claims 11 and 17 under 35 U.S.C. 103(a) based on Barnes in view of Sasaki, and to allow all of the pending claims 1-23 as now presented for examination. An early notification of the allowability of claims 1-23 is earnestly solicited.